

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0743-01
Bill No.: HB 241
Subject: Boats and Watercraft; Civil Procedure; Liability; Merchandising Practices.
Type: Original
Date: February 4, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Public Defender**, **Office of State Courts Administrator** and the **Department of Public Safety – Missouri State Water Patrol** each assume the proposed legislation would have no fiscal impact on their respective agencies.

Officials from the **Office of the Attorney General (AGO)** did not respond to our request for fiscal impact. However, in response to similar legislation from this year, the AGO assumed no fiscal impact from the proposal.

Officials from the **Office of Prosecution Services (OPS)** did not respond to **Oversight's** request for fiscal impact. However, in response to similar legislation from the 2002 session, OPS assumed prosecutors could absorb the costs of the proposed legislation with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2004
(10 Mo.)

FY 2005

FY 2006

\$0

\$0

\$0

FISCAL IMPACT - Small Business

The proposal fiscally impact small businesses, as it would exempt watercraft outfitters from liability in certain situations.

DESCRIPTION

This proposal gives immunity to outfitters of paddlesport activities for injuries or death to participants due to the inherent risks of paddlesport activities. Outfitters are not immune from liability arising out of an employer-employee relationship. Outfitters are also not immune from liability when an outfitter acts intentionally or negligently, provides unsafe equipment or watercraft, fails to provide a personal flotation device, or fails to exercise ordinary care. All outfitters must post and maintain a warning in a clearly visible location and must include the warning in all contracts with participants.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

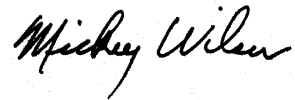
Office of the State Courts Administrator

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Department of Public Safety - Missouri State Water Patrol
Office of the State Public Defender

NOT RESPONDING: Office of Prosecution Services, Office of the Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 4, 2003